

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Nakamura, et al.
 U.S. Appln. Ser. No. : 09/889,380
 Int'l Appln. No. : PCT/JP00/08112
 Int'l Filing Date : November 17, 2000
 Title of Invention : DIGITAL SIGNAL PROCESSING APPARATUS
 AND METHOD

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NO FEE PETITION TO WITHDRAW NOTIFICATION OF MISSING**REQUIREMENTS**

Assistant Commissioner for Patents
 Washington, D.C. 20231
 Attn: Paulette Kidwell, Paralegal

Madam:

Further to our petition filed October 22, 2001, and in reply to the Notification of Defective Response mailed November 14, 2001, we respectfully request the petition to withdraw notification of missing requirements be granted. This is a Petition to withdraw the Notification

of Missing Requirements mailed August 28, 2001 in the above-identified application. A copy of that Notification is enclosed.

For a complete understanding of what appears to be the circumstances surrounding this application, Applicants note that a similar Notification of Missing Requirements issued on August 27, 2001 in related, companion U.S. application 09/889,459 (the '459 application).

On July 16, 2001, Applicants' below-named attorney filed, by express mail, fully executed U.S. patent application papers pursuant to 35 USC 371, including a direct English translation of the specification and claims of international application PCT/JP00/08112, to which U.S. application Serial No. 09/889,380 was assigned. A copy of those application papers as filed, including the date-stamped receipt postcard acknowledging receipt thereof, is enclosed. The U.S. application papers contained 12 claims. This is identical to the number of claims contained in the international application.

On the same day, July 16, 2001, Applicants' below-named attorney filed, by express mail, fully executed U.S. patent application papers pursuant to 35 U.S.C. 371, including a direct English translation of the specification and claims of international application PCT/JP00/08113, to which U.S. application Serial No. 09/889,459 was assigned. The '459 U.S. application papers contained 12 claims. This is identical to the number of claims contained in international application PCT/JP00/08113.

Applicants' attorney believes that the executed declaration attached to the U.S. application papers filed in connection with the '380 application became confused in the PTO Mail Room with the executed application papers filed in connection with the '459 application. As a result, the Notification of Missing Requirements incorrectly was mailed in connection with

the '380 application (and, similarly, the Notification of Missing Requirements incorrectly was mailed in connection with the '459 application).

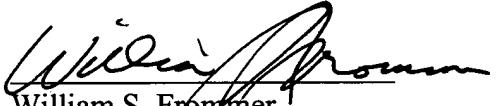
Since the '380 application was filed with a fully executed declaration, was filed as a direct English translation of the international application upon which it is based and contained precisely the same number of claims as said international application, it is respectfully requested that the Notification of Missing Requirements mailed August 28, 2001 be withdrawn.

It is believed that no fees are due for this Petition. However, if a Petition Fee is needed, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

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WSF/dds
Enclosures